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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2010 JAN -8 A 10: 52

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF:

DOCKET NO. S-20714A-09-0553

THEODORE J. HOGAN & ASSOCIATES, LLC
a.k.a. TED HOGAN AND ASSOCIATES, an
Arizona limited liability company,

Arizona Corporation Commission
DOCKETED

JAN - 8 2010

THEODORE J. HOGAN a.k.a. TED KILLS IN THE
FOG, a married man,

and

CHRISTINA L. DAMITIO, a.k.a. CHRISTINA
HOGAN, a married woman,

DOCKETED BY

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RESPONDENTS.

PROCEDURAL ORDER
(Schedules Pre-Hearing Conference)

BY THE COMMISSION:

On December 8, 2009, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Theodore J. Hogan & Associates, LLC a.k.a. Ted Hogan and Associates, and a.k.a. Ted Kills in the Fog ("Hogan") and Christina L. Damitio a.k.a. Christina Hogan (collectively "Respondents") in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of investment contracts.

The Respondents were duly served with copies of the Notice.

On December 22, 2009, requests for hearing were filed by Respondents. Included within Respondents' requests appear to be an Answer and request for pre-hearing discovery.

On January 7, 2010, the Division filed a response to the requests of the Respondents request for discovery urging their denial.

Accordingly, a pre-hearing conference should be scheduled.

IT IS THEREFORE ORDERED that a **pre-hearing conference** shall be held on **January 28,**

1 2010, at 9:30 a.m., at the Commission's offices, 1200 West Washington Street, Hearing Room 1,
2 Phoenix, Arizona.

3 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
4 Communications) applies to this proceeding as the matter is now set for public hearing.

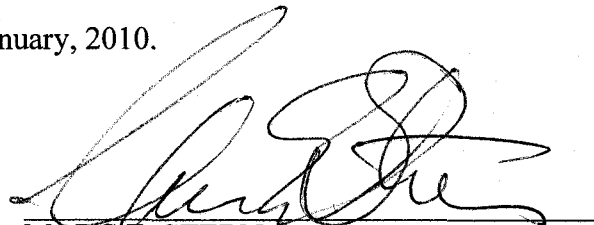
5 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance
6 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
7 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
8 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
9 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
10 Administrative Law Judge or the Commission.

11 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
12 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission
13 *pro hac vice*.

14 IT IS FURTHER ORDERED that Respondent's request for discovery shall be taken under
15 advisement.

16 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
17 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

18 DATED this 8th day of January, 2010.


19
20
21 
22 MARCE. STERN
ADMINISTRATIVE LAW JUDGE

23 Copies of the foregoing mailed/delivered
24 this 8th day of January, 2010 to:

25 Theodore J. Hogan
Christina L. Damitio
460 Andante
Sedona, AZ 86336

26 Matt Neubert, Director
Securities Division
27 ARIZONA CORPORATION COMMISSION
1300 West Washington Street
28 Phoenix, AZ 85007

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Phoenix, AZ 85004

By: 
Debra Broyles
Secretary to Marc E. Stern